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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/620,067	<b>Applicant(s)</b> CHRISTIANSEN, ROBERT DOUGLAS
	<b>Examiner</b> HILINA S. KASSA	<b>Art Unit</b> 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 July 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-22 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. In view of the Appeal Brief filed on 07/05/2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved the reopening of prosecution by signing below.

2. Applicant's arguments, filed on 07/05/2009, with respect to the rejection(s) of claim(s) 1-22 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Zuber (US Patent Number 6,035,103).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6-18 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Zuber (US Patent Number 6,035,103).

***(1) regarding claim 1:***

As shown in figures 1 and 12, Zuber discloses a networked computing environment including a Raster Image Process (RIP) manager coupled to at least one RIP engine (**10, 12, 14, 16, figure 1, column 5, lines 14-24; note that the workstations are connected in a network with the print engines**), a method for the RIP manager to automatically configure the RIP engine (**column 14, lines 37-43; note that the parser is able to sequentially output data to the print engines as needed**), the method comprising:

receiving a print job (**column 5, lines 30-31; note that a print job is received**); and

requesting the RIP engine to perform dynamic configuration of at least one RIPing parameter when the RIPing parameter is not congruent to a RIP manager supplied processing preference (**column 15, lines 50-60; note that when the print job has parameters as color/B&W and according to the parameter, the job**

**router/parser routes the print job to the accorded configured print engine per the preference), the dynamic configuration being requested in consideration of the RIP engine RIPing a particular portion of the print job (column 15, line 50-column 16, line 5; note that the print job is divided to different portions as desired to process by the color or B&W engine).**

**(2) regarding claim 2:**

Zuber further discloses a method as recited in claim 1, wherein the at least one RIPing parameter is a RIPing algorithm, a resource/software version, a particular font, or a color profile (column 15, lines 52-58; note that the RIPing parameter includes color profile i.e. color/B&W).

**(3) regarding claim 3:**

Zuber further discloses a method as recited in claim 1: wherein the RIP engine is a first RIP engine of first (356-362, figure 12, column 15, lines 63-64; note that the B&W job is routed to the first engine) and second RIP engines in a pipeline (358, 366, figure 12, column 15, lines 64-65; note that the color jobs are routed to the color processing engine); wherein the first and second RIP engines are heterogeneous with respect to one another (figure 12, column 15, lines 63-65; note that the two virtual engines are heterogeneous with respect to each other); and wherein requesting the RIP engine to perform dynamic configuration is further directed to configuring the first RIP engine to process the particular portion using same

RIPing parameters as used by the second RIP engine to RIP a different portion of the print job (**column 15, line 50-column 16, line 5; note that the print job is divided to different portions as desired to process by the color or B&W engine, note that the RIPing parameter is color profile i.e. both engines are using the same parameter**).

**(4) regarding column 4:**

Zuber further discloses a method as recited in claim 1, wherein the method further comprises downloading, by the RIP engine, any configuration resource(s) indicated by RIP manager supplied processing preference(s) that are not locally available to the RIP engine (**column 31, lines 34-48; note that color mapped values are downloaded to the printer adapter in the lookup table**).

**(5) regarding claim 6:**

Zuber further discloses a method as recited in claim 1, wherein the method further comprises: directing the RIP engine to communicate a status to the RIP manager indicating whether the RIP engine can perform the dynamic configuration in accordance with the RIP manager supplied processing preference (**column 15, line 66-column 16, line 5; note that the job manager will route the second job associated with the block to a second virtual engine, having associated therewith four color print engines**); and

wherein the status determines whether the RIP engine or a different RIP engine in the pipeline will RIP the particular portion (**column 15, line 50-column 16, line 5; note that the print job is divided to portions**).

**(6) regarding claim 7:**

Zuber further discloses a method as recited in claim 6, wherein the status is a response message or a lapse of time (**column 22, lines 39-42; note that the different engines accommodate messages or time**).

**(7) regarding claim 8:**

Zuber further discloses a method as recited in claim 1, wherein the method further comprises: responsive to determining that the RIP engine cannot successfully RIP the print job in accordance with the RIP manager supplied processing preference (**column 11, lines 1-3; note that when it is determined that a page has no color, it is processed by the B&W engine**);

identifying a different RIP engine that can or has performed such dynamic configuration of the at least one RIPing parameter (**column 11, lines 1-5; note that when a page has no color it is processed by the B&W engine even if the color engine has B&W processing functionality**); and

communicating the particular portion to the different RIP engine for RIPing in accordance to the RIP manager supplied processing preference (**column 11, lines 1-5; note that the B&W page gets processed by the B&W engine**).

**(8) regarding claim 9:**

Zuber further discloses a method as recited in claim 1, wherein the method further comprises: determining that the RIP engine can successfully RIP the print job in accordance with the RIP manager supplied processing preference (**column 15, line 66-column 16, line 2; note that the job manger rounts the B&W job to the first engine to be processed**); and

responsive to the determining, communicating the particular portion to the RIP engine for RIPing in accordance to the RIP manager supplied processing preference (**column 16, lines 1-5; note that the color portion of the print job is processed with the color engine as the B&W portion of the print job is processed in the B&W engine**).

**(9) regarding claim 10:**

Zuber further discloses a computer-readable medium having computer-program instructions executable by a processor for automatically configuring a raster image processor (RIP) engine stored thereon, the computer-program instructions comprising instructions for (**column 14, lines 37-43; note that the parser is able to sequentially output data to the print engines as needed**):

evaluating a print job to identify a set of RIPing parameters (**column 15, lines 52-58; note that the RIPing parameter includes color profile i.e. color/B&W**);

communicating the RIPIng parameters to a RIP engine to direct the RIP engine to automatically configure its RIPIng operations to conform to the RIPIng parameters (356-362, figure 12, column 15, lines 63-64; note that the B&W job is routed to the first engine); and,

requesting the RIP engine to perform dynamic configuration of at least one RIPIng parameter when the RIPIng parameter is not congruent to a RIP manager supplied processing preference (column 15, lines 50-60; note that when the print job has parameters as color/B&W and according to the parameter, the job router/parser routes the print job to the accorded configured print engine per the preference), the dynamic configuration being requested in consideration of the RIP engine RIPIng a particular portion of the print job (column 15, line 50-column 16, line 5; note that the print job is divided to different portions as desired to process by the color or B&W engine).

**(10) regarding claim 12:**

Zuber further disclose, a computer-readable medium as recited in claim 10, wherein the computer-program instructions further comprise instruction for supplementing or replacing the RIPIng parameters with one or more default RIPIng parameters (column 16, lines 1-5; note that the color portion of the print job is processed with the color engine as the B&W portion of the print job is processed in the B&W engine).

**(11) regarding claim 13:**

Zuber further disclose, a computer-readable medium as recited in claim 10, wherein the computer-program instructions further comprise instruction for: receiving a download request from the RIP engine, the download request identifying at least a subset of the RIPing parameters (**column 15, line 66-column 16, line 2; note that the job manger routs the B&W job to the first engine to be processed**); and

responsive to the download request, communicating resources corresponding to the at least a subset of the RIPing parameters to the RIP engine for subsequent installation by the RIP engine to configure its RIPing operations (**column 16, lines 1-5; note that the color portion of the print job is processed with the color engine as the B&W portion of the print job is processed in the B&W engine**).

**(12) regarding claim 14:**

Zuber further disclose, a computer-readable medium as recited in claim 10, wherein the computer-program instructions further comprise instruction for directing the RIP engine to RIP at least a portion of a print job using resource(s) associated with the RIPing parameters (**column 15, line 50-column 16, line 5; note that the print job is divided to different portions as desired to process by the color or B&W engine, note that the RIPing parameter is color profile i.e. both engines are using the same parameter**).

**(13) regarding claim 15:**

Zuber further disclose, a computer-readable medium as recited in claim 10, wherein the RIP engine is a first RIP engine of first and second RIP engines in a pipeline (**figure 12, column 15, lines 63-65; note that the two virtual engines are heterogeneous with respect to each other**), and wherein the computer-program instructions further comprise instructions for:

determining that the first RIP engine cannot successfully RIP a print job in accordance with the RIPing parameters (**column 11, lines 1-3; note that when it is determined that a page has no color, it is processed by the B&W engine**);

responsive to the determining, automatically configuring the second RIP engine to perform RIPing operations in accordance to the RIPing parameters (**column 11, lines 1-5; note that when a page has no color it is processed by the B&W engine even if the color engine has B&W processing functionality**); and

communicating a particular portion of a print job to the second RIP engine for RIPing, the particular portion having previously been assigned to the first RIP engine (**column 11, lines 1-5; note that the B&W page gets processed by the B&W engine**)

**(14) regarding claim 16:**

Zuber further disclose, a raster image processor (RIP) manager computing device comprising the processor coupled to the computer-program instructions recited in claim 10 (**column 18 , lines 7-12; note that software is disclosed**).

**(15) regarding claim 17:**

Zuber further discloses a computer-readable medium comprising computer-program instructions executable by a processor for automatically configuring a raster image processor (RIP) engine coupled to a RIP manager (**10, 12, 14, 16, figure 1, column 5, lines 14-24; note that the workstations are connected in a network with the print engines and column 14, lines 37-43; note that the parser is able to sequentially output data to the print engines as needed**), the computer-program instructions comprising instructions for:

receiving, by the RIP engine, a request to configure RIPing operations in accordance with one or more parameters specified by the RIP manager (**column 15, lines 52-58; note that the RIPing parameter includes color profile i.e. color/B&W**);

responsive to receiving the request, the RIP engine configuring RIPing operations based on the one or more parameters (**356-362, figure 12, column 15, lines 63-64; note that the B&W job is routed to the first engine**); and,

requesting the RIP engine to perform dynamic configuration of at least one RIPing parameter when the RIPing parameter is not congruent to a RIP manager supplied processing preference (**column 15, lines 50-60; note that when the print job has parameters as color/B&W and according to the parameter, the job router/parser routes the print job to the accorded configured print engine per the preference**), the dynamic configuration being requested in consideration of the RIP engine RIPing a particular portion of the print job (**column 15, line 50-column 16, line**

**5; note that the print job is divided to different portions as desired to process by the color or B&W engine).**

**(16) regarding claim 21:**

Zuber further disclose, wherein the computer-program instructions further comprise instructions for:

determining that computer resources of the RIP engine are insufficient to download and/or install one or more resources corresponding to the one or more parameters from an identified network address (**column 11, lines 9-16; note that when there is a problem configuring one or more parameters, the print engines are reconfigured to different engines depending on the need to print the job**); and

responsive to the determining, re-assigning and communicating a portion of a print job assigned to the RIP engine to a different RIP engine coupled to the RIP manager (**column 11, lines 24-34**).

**(17) regarding claim 22:**

Zuber further disclose, a computing device comprising the processor coupled to the computer-readable medium as recited in claim 17 (**column 18 , lines 7-12; note that software is disclosed**).

5. The proposed rejection of Zuber, explained in the rejection of method claim 2, renders obvious the steps of the computer readable medium of claims 11 and 18

because these steps occur in the operation of the proposed combination as discussed above. Thus, the arguments similar to that presented above for claim 2 are equally applicable to claims 11 and 18.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 5, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuber (US Patent Number 6,035,103) as applied to claims 1 and 17 above, and further in view of Morgan (US Patent Number 6,362,828).

***(1) regarding claims 5 and 19:***

Zuber disclose all of the subject matter as described above except for teaching wherein RIP engine downloads configuration resource(s) from a network address identified by the RIP manager.

However, Morgan discloses wherein RIP engine downloads configuration resource(s) from a network address identified by the RIP manager (**column 10, lines 22-27; note that data is downloaded to the raster engine**).

Zuber and Morgan are combinable because they are from the same field of endeavor i.e. data rasterization. At the time of the invention, it would have been obvious

to a person of ordinary skilled in the art wherein RIP engine downloads configuration resource(s) from a network address identified by the RIP manager. The suggestion/motivation for doing so would have been in order to efficiently rasterize data. Therefore, it would have been obvious to combine Zuber with Morgan to obtain the invention as specified in claims 5 and 19.

**(2) regarding claim 20:**

Zuber disclose all of the subject matter as described above except for teaching, wherein the identified network address is provided to the RIP engine by the RIP manager and/or stored in the computer-readable medium, which is local to the RIP engine.

However, Morgan discloses wherein the identified network address is provided to the RIP engine by the RIP manager and/or stored in the computer-readable medium, which is local to the RIP engine (**column 9, lines 13-21; note that the memory has data allocation segments**).

Zuber and Morgan are combinable because they are from the same field of endeavor i.e. data rasterization. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the identified network address is provided to the RIP engine by the RIP manager and/or stored in the computer-readable medium, which is local to the RIP engine. The suggestion/motivation for doing so would have been in order to efficiently rasterize data. Therefore, it would have been obvious to combine Zuber with Morgan to obtain the invention as specified in claim 20.

***Examiner Notes***

8. The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

***Conclusion***

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/

Examiner, Art Unit 2625

October 9, 2009

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625